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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Toshihiko HIGUCHI

Serial No: 09/910,447

Filed: July 19, 2001

For: SEMICONDUCTOR DEVICE HAVING  
A CONTROLLED GATE SHAPE AND  
METHOD FOR MANUFACTURING  
THE SAME (Amended)

Art Unit: 2814

Examiner: Thao X. Le

I hereby certify that this correspondence  
is being transmitted via facsimile to  
(703) 872-9319: Commissioner for  
Patents, Washington D.C. 20231, on

February 13, 2003

Date of Deposit

Diane Lynn

Name

Diane Lynn

Signature

02/13/03

Date

Please  
DO NOT ENTERAMENDMENT UNDER 37 C.F.R. § 1.116T.6  
03/06/03Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Final Office Action dated November 13, 2002, please amend the above-referenced application as follows:

IN THE CLAIMS:

Please cancel claims 5, 6, 10, 12-20, 25, 26, 27 and 30 without prejudice.

FAX RECEIVED

Please replace the text of claims 1, 21, 26, 28 and 32 with the following text

FEB 13 2003

TECHNOLOGY CENTER 2800

1. (Amended) A semiconductor device comprising:  
a semiconductor substrate having an indented section;  
a gate dielectric layer formed on the indented section;  
a gate electrode formed on the gate dielectric layer, wherein a portion of the gate electrode is embedded in the semiconductor substrate and another portion of the gate electrode is above the semiconductor substrate;